



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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August 11, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**FINDINGS AND ORDERS OF THE
BUILDING REHABILITATION APPEALS BOARD
IN THE UNINCORPORATED AREAS OF LA PUENTE AND SOUTH WHITTIER
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action will adopt the findings and orders of the Building Rehabilitation Appeals Board pursuant to Title 26 of the Los Angeles County Code, Building Code, which provides for the arrest and abatement of neighborhood deterioration and the elimination of unsightly, unsafe, and unhealthful conditions, which constitute a public nuisance.

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the findings and orders of the Building Rehabilitation Appeals Board that provide for abatement of public nuisances at the following locations:

11536 Starlight Avenue, South Whittier, California 90604
1518 Otterbein Avenue, La Puente, California 91748

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to provide for abatement of public nuisances through rehabilitation procedures. Title 26 of the Los Angeles County Code, Building Code, provides for a Building Rehabilitation Appeals Board to hear appeals on matters concerning public nuisances.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3) as it provides services to the public that have a wide reaching positive effect on the entire community. The action will provide for the arrest and abatement of neighborhood deterioration and the elimination of unsightly, unsafe, and unhealthful conditions, which constitute a public nuisance.

FISCAL IMPACT/FINANCING

There will be no increase in net County cost or negative fiscal impact. Costs of the abatement work are billed to the property owners. Failure to pay the bill will cause a special assessment to be placed on the tax bill and a Notice of Abatement Lien will be recorded against the property with the office of the County Registrar-Recorder/County Clerk.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Building Code provides for abatement of public nuisances through rehabilitation procedures contained in Chapter 99.

Government Code Section 25845 requires that the property owners be provided an opportunity to appear before the Board and be heard prior to abatement of the nuisance(s) by the County. However, your Board adopted modified procedures that delegated the required hearing to the Building Rehabilitation Appeals Board with the requirement that the Building Rehabilitation Appeals Board make a written recommendation to your Board.

The Building Rehabilitation Appeals Board has conducted the required hearing for the properties listed below. The Building Rehabilitation Appeals Board considered all competent evidence and testimony offered by all persons pertaining to the matters of substandard properties. The Building Rehabilitation Appeals Board made a finding of facts in the matter and declared the following properties to be a public nuisance.

Your Board may either adopt these findings and orders of the Building Rehabilitation Appeals Board without further notice of hearing or may set the matter for a de novo hearing before your Board.

ADDRESS: 11536 Starlight Avenue, South Whittier, California 90604

Finding and Orders: The Building Rehabilitation Appeals Board made a finding that the property is

substandard, declared the property a public nuisance, and issued the following orders: (a) that by August 14, 2009, the property be cleared of all excessive vegetation and maintained cleared thereafter and (b) that the property be maintained secured to prevent unauthorized entry.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. The garage door was open and accessible to children, vandalized, and existed as a fire hazard and a threat to public safety and welfare, until it was barricaded, as requested by the Sheriff's Department.
3. A window in the building and the garage door are broken.
4. The water heater of the dwelling is missing.
5. Overgrown vegetation and weeds constituting an unsightly appearance.

The interior of the building was not accessible for inspection; therefore, additional defects may be found when an interior inspection is made.

ADDRESS: 1518 Otterbein Avenue, La Puente, California 91748

Finding and Order: The Building Rehabilitation Appeals Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following order: that by August 14, 2009, the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property and maintained cleared thereafter.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Overgrown vegetation and weeds constituting an unsightly appearance.
3. Attractive nuisances in the form of abandoned or broken equipment, neglected machinery, refrigerators, and freezers.
4. Broken or discarded furniture and household equipment in yard areas for unreasonable periods.
5. Miscellaneous articles of personal property scattered about the premises.
6. Trash, junk, and debris scattered about the premises.
7. Garbage cans stored in front or side yards and visible from public streets.

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

The Building Rehabilitation Appeals Board confirmed the County Building Official's findings that the listed properties are substandard because they are injurious to health, offensive to the senses, and obstruct the free use of neighboring properties so as to interfere with the comfortable enjoyment of life and property.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:RP:pc

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office